

subclass 379.6.

The November 14, 2005 Restriction Requirement states that Applicant must elect either Group I or Group II, and that if Group I is elected, Applicant must further elect one of the following species:

Species A - a method wherein the curing shrinkage forces are adjusted to be even by selectively irradiating the light energy to at least one of the light energy curable adhesives (claim 4);

Species B - a method wherein the curing shrinkage forces are adjusted to be even by changing intensity of the light energy irradiated to each of the light energy curable adhesives (claim 5);

Species C - a method wherein the curing shrinkage forces are adjusted to be even by changing an irradiation area of the light energy irradiated to at least one of the light energy curable adhesives (claim 6);

Species D - a method wherein the curing shrinkage forces are adjusted to be even by coating at least one of the plural sections with plural light energy curable type adhesives having different shrinkage characteristics to be selectively irradiated when selected displacement from said relative position occurs (claim 7);

Species E - a method wherein the curing shrinkage forces are adjusted to be even by coating at least one of the plural sections with a different amount of light energy curable type adhesive (claim 8);

Species F - a method wherein the curing shrinkage forces are adjusted to be even by coating at least one of the plural sections with light energy curable type adhesive in a different shape (claim 9);

Applicant hereby elects, with traverse, to prosecute the invention of Group I, Species A. While claim 4 is readable on Species A, it is noted that claims 1-3 are generic to Species A through F.

Applicant, however, respectfully requests reconsideration of the restriction requirement. Under 35 U.S.C. §121, restriction may be required if two or more independent and distinct inventions are claimed in one application. Under M.P.E.P. §803, the application must be examined on the merits, even though it includes claims to distinct inventions, if the search and examination of an application can be made without serious burden.

The inventions of Groups I and II are not independent. Under MPEP §802.01, “independent” means there is no disclosed relationship between the subjects disclosed. As acknowledged in the Office Action, Groups I and II are related as process and apparatus for its practice. Therefore, Applicant respectfully submits that the Groups are not independent and restriction is improper.

In addition, Applicant submits that it would not be a serious burden if restriction is not require, because a search for prior art for one Group will likely turn up relevant references for the other Group. Therefore, Applicant submits that search and examination of the Groups together would not be a serious burden.

Further, with regard to the allegedly distinct species within Group I, as noted above, claims 1-3 are generic over Species A through F. Further, each of claims 4-9 depend from claims 1-3. Therefore, the examination and search of the Species A through F of Group I together would not be a serious burden.

In view of the preceding remarks, Applicant respectfully requests that the restriction requirement be withdrawn.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this response and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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